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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,065	12/29/2000	Emilio Alberti	YOR920000593	7741

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Blanche E. Schiller, Esq.  
HESLIN & ROTHENBERG, P.C.  
5 Columbia Circle  
Albany, NY 12203

EXAMINER

HEWITT II, CALVIN L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/752,065

Applicant(s)

ALBERTI ET AL.

Examiner

Calvin L Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-33, 35-60 and 62-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-33, 35-60 and 62-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Status of Claims***

1. Claims 1-8, 10-33, 35-60 and 62-76 have been examined.

***Response to Amendments***

2. The Applicant is attempting to differentiate the amended claims from the prior art based on the use of the term "enterprise resource management". However, the "term" ERP is broad and encompasses the automation/computerization of various standard workflow manufacturing processes. Therefore, as it is the Examiner's responsibility to give claim language its broadest reasonable interpretation, the prior art continues to read on the Applicant's claims.

The Applicant argues that the limitations regarding private and public information are not present in the prior art of Walker et al.. The Examiner respectfully disagrees. Initially, the Examiner would like to point out that the term "private electronic environment" is extremely broad and it is the Examiner's responsibility to give claim language its broadest reasonable interpretation. The central controller of Walker et al., therefore, is a private electronic environment, as the public does not have access to its data stores (figure 2). For example, the central controller is protected from public access through the use of access rights

and cryptography for identifying and authenticating buyers and sellers (figures 5, 9 and 14-18; column 26, lines 47-53). Hence, the prior art continues to read on the Applicant's claims and the Examiner maintains the rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8, 10-23, 25-33, 35-48, 50-60, 62-74 and 76 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Walker et al., U.S. Patent No. 5,794,207.

As per claims 1-8, 10-23, 25-33, 35-48, 50-60, 62-74 and 76, Walker et al. teach a method for managing information comprising:

- identifying information (e.g. entered data regarding proposal for a contract) to be managed (figure 1)
- managing information within a public environment offline from the private environment (figures 2, 6 and 20; column 12, lines 8-21 and 40-

53; column 14, lines 33-39; column/line 22/39-23/19; column 27, lines 20-43)

- obtaining (e.g. pre-fetching) data from the private electronic environment to be used for creating the proposal and wherein the private environment comprises executing a server running an enterprise resource planning system (figures 6 and 14; column 12, lines 40-53; column/line 16/62-17/8; column 24/24-25/19; column/line 27/30-30/29)
- negotiating one or more terms of the proposal while disconnected from the private environment (column/line 15/45-16/63; column 19, lines 54-60; column/line 22/39-23/19)
- managing in said public environment comprising maintaining (or storing), obtaining status related to information and a report related to the information (figures 2, 6 and 20; column 12, lines 8-21 and 40-53; column/line 16/62-17/8; column 17, lines 25-47; column/line 22/39-23/19; column 27/20-28/18)
- registering (in real-time) the information with the private environment (figures 2, 5 and 6; column 12, lines 8-21 and 40-53)
- requesting approval of the information wherein registering is in response to the approval (figures 5 and 6; column/lines 16/62-17/8; column 17, lines 25-47; column/line 23/65-25/35; column 27/20-28/18)

- registering a proposal to form a contract and administering a contract  
(abstract; column 8, lines 27-56)
- a public environment comprising a web server executing a portal  
(figures 1 and 2; column 14, lines 8-30)

Walker et al. also teach:

- obtaining proposal data from a private environment, creating the proposal in a public environment and providing said proposal to said private environment, approving said proposal prior to providing said proposal to the private environment, registering the proposal with a private electronic environment, wherein the approved proposal becomes a [sales] contract, negotiating one or more terms of the proposal (abstract; column/line 22/39-23/19; column/line 23/65-25/35; column 26, lines 47-56)
- public environment comprises a web server (figures 1 and 2; column 14, lines 8-30)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 24, 49 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U.S. Patent No. 5,794,207.

As per claim 24, 49 and 75, Walker et al. teach a system for managing information utilizing a distributed processing architecture (figures 1, 2 and 20; column 12, lines 8-20 and 35-53; column 14, lines 30-40; column/line 27/20-28/18). Walker et al. do not explicitly recite firewalls, however, firewalls are well known systems used for protecting a network from an external threat. Therefore, it would have been obvious to one of ordinary skill to utilize a firewall to protect a computing environment from unauthorized accesses to private data (user identity data, credit card data, transaction data... etc.)

### ***Conclusion***

7. This is a continuation of applicant's earlier Application No. 09752065. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See

MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
c/o Technology Center 2100



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Washington, D.C. 20231

or faxed to:

(703) 305-7687 (for formal communications intended for entry and  
after-final communications),

or:

(703) 746-5532 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5,  
2451 Crystal Drive, 7th Floor Receptionist.

Any inquiry of a general nature or relating to the status of this application  
should be directed to the Group receptionist whose telephone number is (703)  
308-1113.

Calvin Loyd Hewitt II

July 9, 2004



JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600